

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

RACHEL MANISCALCO, individually,
and for all others similarly situated,

Plaintiff,

-against-

**THE NEW YORK CITY DEPARTMENT
OF EDUCATION, MEISHA PORTER,
SCHOOLS CHANCELLOR OF THE
NEW YORK CITY DEPARTMENT OF
EDUCATION, IN HER OFFICIAL
CAPACITY, THE CITY OF NEW YORK,
BILL de BLASIO, MAYOR OF NEW
YORK CITY, IN HIS OFFICIAL
CAPACITY, DEPARTMENT OF
HEALTH AND MENTAL HYGIENE, and
DAVE A. CHOKSHI, COMMISSIONER
OF THE DEPARTMENT OF HEALTH
AND MENTAL HYGIENE, IN HIS
OFFICIAL CAPACITY**

Case No. _____

ORDER TO SHOW CAUSE

Upon the annexed Declaration of Louis Gelormino, Rachel Maniscalco, and the accompanying Memorandum of Law in Support of Motion for Preliminary Injunction, dated September 10, 2021, submitted by Rachel Maniscalco (“Plaintiff” or “Maniscalco”):

IT IS HEREBY ORDERED that the New York City Department of Education (the “DOE”), Meisha Porter, in her official capacity as Schools Chancellor of the New York City Department of Education, the City of New York (the “City”), Bill de Blasio, Mayor of New York City, in his official capacity as Mayor of New York City (“de Blasio”), Department of Health and Mental Hygiene (the “DOHMH”), and Dave A. Chokshi, Commissioner of the DOHMH, in his official capacity (“Chokshi”) (collectively, “Defendants”) show cause before

this Court, at Room _____, United States District Court for the Eastern District of New York, 225 Cadman Plaza E, Brooklyn, New York 11201, on the day of _____, 2021 at _____ a.m./p.m. or as soon thereafter as counsel can be heard, why an order should not be issued pursuant to Rule _____ of the Federal Rules of Civil Procedure to enjoin Defendants from enforcing the August 23, 2021 Order that mandates vaccinations for all DOE employees.

IT IS FURTHER ORDERED that a copy of this order, together with the papers upon which it is granted, be personally served upon Defendants and their attorney on or before _____, 2021 by _____ a.m./p.m. and that such service be deemed good and sufficient.

Dated: Brooklyn, New York
September 10, 2021

United States District Judge